

## Message Text

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PAGE 01 BANGUI 00203 281605Z  
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E.O.11652: N/A  
TAGS: SHUM, CT  
SUBJ: CAE APPEALS COURT UPHOLDS RELIGIOUS FREEDOM

1. IN WHAT MAY BE A LANDMARK HUMAN RIGHTS CASE IN THE CAE, THE COURT OF APPEALS JANUARY 25 OVERTURNED THE CONVICTION OF 25 JEHOVAH'S WITNESSES WHO HAD BEEN CHARGED WITH VIOLATING THE AUGUST 1976 BAN ON THE WITNESSES' ORGANIZATION. THE 25 WITNESSES WERE ARRESTED IN KOUANGO IN SEPTEMBER 1977. THEY WERE TRIED IN OCTOBER AND CONVICTED. THE COURT ORDERED THAT ALL THEIR GOODS BE CONFISCATED SINCE THEY HAD ORGANIZED A REGIONAL MEETING OF WITNESSES CONTRARY TO THE BAN.

2. THE CASE WAS ARGUED ON APPEAL IN BANGUI EARLIER IN THE MONTH BY RESIDENT AMERICAN LAWYER AL LINCOLN, WHO CLAIMED THAT THE WITNESSES WERE NOT ENGAGED IN ILLEGAL ORGANIZATIONAL ACTIVITY, BUT IN LEGITIMATE RELIGIOUS WORSHIP GUARANTEED UNDER THE DECEMBER 4, 1976 CONSTITUTION. HE CALLED TO TESTIFY A LOCAL AMERICAN JEHOVAH'S WITNESS WHO STRESSED THE WITNESSES' RESPECT FOR GOVERNMENTAL AUTHORITY, ALTHOUGH THEIR FAITH PROHIBITED PARTICIPATION IN POLITICAL ACTIVITY, INCLUDING MEMBERSHIP IN POLITICAL PARTIES. THE COURT IN ITS DECISION WHICH OVERTURNED THE PRISON SENTENCES AND ORDERED THE RETURN OF ALL SEQUESTERED PROPERTY, APPARENTLY ACCEPTED THE CONSTITUTIONAL ARGUMENTS OF THE DEFENSE.

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PAGE 02 BANGUI 00203 281605Z

3. COMMENT: THIS IS THE SECOND CASE AGAINST JEHOVAH'S WITNESSES WHICH HAS BEEN OVERTURNED ON APPEAL, BUT IT IS THE FIRST ARGUED NARROWLY ON HUMAN RIGHTS AND RELIGIOUS FREEDOM GROUNDS. THE LAWYER FOR THE WITNESSES BELIEVES THAT THE COURT WAS BASICALLY FAVORABLY DISPOSED, AND HE FEELS IN THE CURRENT ATMOSPHERE OF FREQUENT AND OPEN DISCUSSION OF HUMAN RIGHTS FROM

THE EMPEROR ON DOWN THAT A CLIMATE EXISTS IN WHICH IT IS  
POSSIBLE FOR THE COURTS TO TAKE A MORE POSITIVE POSITION ON  
CASES WITH A HUMAN RIGHTS DIMENSION.  
QUANTON

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## Message Attributes

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